

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON PAGE TWO.)

I.(a) PLAINTIFFS

ECHOSTAR SATELLITE L.L.C., ECHOSTAR
TECHNOLOGIES CORPORATION, and NAGRASTAR L.L.C.

DEFENDANTS

FREETECH, INC.

E-filing

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF _____
(EXCEPT IN U.S. PLAINTIFF CASES)

Arapahoe County, Colorado

COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT _____
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE
TRACT OF LAND INVOLVED.

(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)
DLA Piper US LLP, Roy K. McDonald, Stephen A. Chiari, 153
Townsend Street, San Francisco, CA 94107 (415) 836-2500

ATTORNEYS (IF KNOWN)

II. BASIS OF JURISDICTION (PLACE AN "X" IN ONE BOX ONLY)

- | | |
|---|---|
| <input checked="" type="checkbox"/> 1 U.S. Government Plaintiff | <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) |
| <input checked="" type="checkbox"/> 2 U.S. Government Defendant | <input checked="" type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties In Item III) |

III. CITIZENSHIP OF PRINCIPAL PARTIES (PLACE AN "X" IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT)

	PTF	DEF	PTF	DEF
Citizen of This State	<input checked="" type="checkbox"/> 1	<input checked="" type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input checked="" type="checkbox"/> 4 <input type="checkbox"/> 4
Citizen of Another State	<input checked="" type="checkbox"/> 2	<input checked="" type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input checked="" type="checkbox"/> 5 <input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input checked="" type="checkbox"/> 3	<input checked="" type="checkbox"/> 3	Foreign Nation	<input checked="" type="checkbox"/> 6 <input type="checkbox"/> 6

IV. ORIGIN

(PLACE AN "X" IN ONE BOX ONLY)

- | | | | | | | |
|---|--|---|--|---|--|---|
| <input checked="" type="checkbox"/> Original Proceeding | <input checked="" type="checkbox"/> Removed from State Court | <input checked="" type="checkbox"/> Remanded from Appellate Court | <input checked="" type="checkbox"/> Reinstated or Reopened | <input checked="" type="checkbox"/> Transferred from Another district (specify) _____ | <input checked="" type="checkbox"/> Multidistrict Litigation | <input checked="" type="checkbox"/> Appeal to District Judge from Magistrate Judgment |
|---|--|---|--|---|--|---|

V. NATURE OF SUIT (PLACE AN "X" IN ONE BOX ONLY)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input checked="" type="checkbox"/> 110 Insurance	PERSONAL INJURY	PERSONAL INJURY	<input checked="" type="checkbox"/> 422 Appeal 28 USC 158	<input checked="" type="checkbox"/> 400 State Reapportionment
<input checked="" type="checkbox"/> 120 Marine	<input checked="" type="checkbox"/> 310 Airplane	<input checked="" type="checkbox"/> 362 Personal Injury Med Malpractice	<input checked="" type="checkbox"/> 423 Withdrawal 28 USC 157	<input checked="" type="checkbox"/> 410 Antitrust
<input checked="" type="checkbox"/> 130 Miller Act	<input checked="" type="checkbox"/> 315 Airplane Product Liability	<input checked="" type="checkbox"/> 365 Personal Injury Product Liability	PROPERTY RIGHTS	<input checked="" type="checkbox"/> 430 Banks and Banking
<input checked="" type="checkbox"/> 140 Negotiable Instrument	<input checked="" type="checkbox"/> 320 Assault Libel & Slander	<input checked="" type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input checked="" type="checkbox"/> 450 Commerce/ICC Rates/etc.	
<input checked="" type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input checked="" type="checkbox"/> 330 Federal Employers Liability	PERSONAL PROPERTY	<input checked="" type="checkbox"/> 460 Deportation	
<input checked="" type="checkbox"/> 151 Medicare Act	<input checked="" type="checkbox"/> 340 Marine	<input checked="" type="checkbox"/> 370 Other Fraud	<input checked="" type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations	
<input checked="" type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl Veterans)	<input checked="" type="checkbox"/> 345 Marine Product Liability	<input checked="" type="checkbox"/> 371 Truth in Lending	<input checked="" type="checkbox"/> 480 Consumer Credit	
<input checked="" type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input checked="" type="checkbox"/> 350 Motor Vehicle	<input checked="" type="checkbox"/> 380 Other Personal Property Damage	<input checked="" type="checkbox"/> 490 Cable/Satellite TV	
<input checked="" type="checkbox"/> 160 Stockholders Suits	<input checked="" type="checkbox"/> 355 Motor Vehicle Product Liability	<input checked="" type="checkbox"/> 385 Property Damage Product Liability	<input checked="" type="checkbox"/> 810 Selective Service	
<input checked="" type="checkbox"/> 180 Other Contract	<input checked="" type="checkbox"/> 360 Other Personal Injury	LABOR	<input checked="" type="checkbox"/> 850 Securities/Commodities/ Exchange	
<input checked="" type="checkbox"/> 195 Contract Product Liability			<input checked="" type="checkbox"/> 875 Customer Challenge 12 USC 3410	
<input checked="" type="checkbox"/> 196 Franchise			<input checked="" type="checkbox"/> 891 Agricultural Acts	
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS	SOCIAL SECURITY	<input checked="" type="checkbox"/> 892 Economic Stabilization Act
<input checked="" type="checkbox"/> 210 Land Condemnation	<input checked="" type="checkbox"/> 441 Voting	<input checked="" type="checkbox"/> 510 Motion to Vacate Sentence Habeas Corpus:	<input checked="" type="checkbox"/> 861 HIA (1395ff)	
<input checked="" type="checkbox"/> 220 Foreclosure	<input checked="" type="checkbox"/> 442 Employment	<input checked="" type="checkbox"/> 530 General	<input checked="" type="checkbox"/> 862 Black Lung (923)	
<input checked="" type="checkbox"/> 230 Rent Lease & Ejectment	<input checked="" type="checkbox"/> 443 Housing	<input checked="" type="checkbox"/> 535 Death Penalty	<input checked="" type="checkbox"/> 863 DIWC/DIWW (405(g))	
<input checked="" type="checkbox"/> 240 Torts to Land	<input checked="" type="checkbox"/> 444 Welfare	<input checked="" type="checkbox"/> 540 Mandamus & Other	<input checked="" type="checkbox"/> 864 SSID Title XVI	
<input checked="" type="checkbox"/> 245 Tort Product Liability	<input checked="" type="checkbox"/> 440 Other Civil Rights	<input checked="" type="checkbox"/> 550 Civil Rights	<input checked="" type="checkbox"/> 865 RSI (405(g))	
<input checked="" type="checkbox"/> 290 All Other Real Property	<input checked="" type="checkbox"/> 445 Amer w/ disab - Empl	<input checked="" type="checkbox"/> 555 Prison Condition	FEDERAL TAX SUITS	
	<input checked="" type="checkbox"/> 446 Amer w/ disab - Other		<input checked="" type="checkbox"/> 870 Taxes (US Plaintiff or Defendant)	
			<input checked="" type="checkbox"/> 871 IRS - Third Party 26 USC 7609	

VI. CAUSE OF ACTION (CITE THE US CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE BRIEF STATEMENT OF CAUSE. DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

17 USC §§ 1201(a)(2) and 1201(b)(1), 47 USC § 605(d), 47 USC § 645(e)(2), 18 USC § 2330(c) - Satellite Transmission Privacy

VII. REQUESTED IN COMPLAINT: CHECK IF THIS IS A CLASS ACTION DEMAND \$ _____ CHECK YES only if demanded in complaint:
UNDER F.R.C.P. 23 JURY DEMAND: YES NO

VIII. RELATED CASE(S) PLEASE REFER TO CIVIL L.R. 3-12 CONCERNING REQUIREMENT TO FILE
IF ANY "NOTICE OF RELATED CASE".

IX. DIVISIONAL ASSIGNMENT (CIVIL L.R. 3-2)

(PLACE AND "X" IN ONE BOX ONLY)

 SAN FRANCISCO/OAKLAND SAN JOSE

DATE 12/3/2007

SIGNATURE OF ATTORNEY OF RECORD